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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,145	10/05/2000	David Drell	i.e., 199-0095US	2642
29855	7590	04/14/2006	EXAMINER	
WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, P.C. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			BARQADLE, YASIN M	
			ART UNIT	PAPER NUMBER
			2153	
DATE MAILED: 04/14/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/684,145

Applicant(s)

DRELL, DAVID

Examiner

Yasin M. Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-12 is/are allowed.
- 6) ☒ Claim(s) 13, 17 and 18-22 is/are rejected.
- 7) ☒ Claim(s) 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **Response to Amendment**

1. The amendment filed on January 30, 2006 has been fully considered but are moot in view of the detailed office action below.

- Claims 1-7 are previously cancelled
- Claims 8-22 are presented for examination

### **Allowable Subject Matter**

- Claims 8-12 are allowed.
- Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 13 and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hardy USPN (6025870) in view of Clapp et al USPN (6073192).

As per claim 13, Hardy teaches a the multi-point capable video conferencing endpoint comprising (figs 1 and col. 3, lines 12-49):

a network interface (network interface 90) for receiving remote audio and video data from a plurality of remote endpoint through a network [audio and video information are received from plurality remote conference sources of col. 3, lines 13-34 and col.5, line 32 to col. 6, line 34];

an audio interface (fig. 1, Block 4) for receiving local audio data from a local source [col. 5, lines 12-60];

a video interface (fig. 1, Block 3) for receiving local video data from a local source [col. 5, lines 12-60]; and

a CPU (CPU 40 ,70, controller 26) programmed to control receipt of the remote audio and video data, receipt of the local audio and video data [Hardy shows video block 3 for processing both locally generated and remotely received graphical video information col. 3, lines 13-34 and col.5, line 32 to col. 6, line 34]

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Although Hardy shows substantial features of the claimed invention, including a Mux/demux 80 that packages the outgoing and incoming data streams and a network interface 90 that receives remote video and audio information from at least one remote conference site via coupling 92 and transmits the received remote video and audio information to mux/demux 80 via coupling 89 so that the audio and video information is transmitted to network interface 90 for subsequent transmission to remote sites (col. 5, lines 24-63 and col. 6, lines 11-51), he does not explicitly show combining the remote audio and video data with the local audio and video data.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Hardy, as evidenced by Clapp et al USPN. (6073192).

In analogous art, Clapp et al whose invention a peripheral video conferencing system with control unit that controls presentation of remote video signal through the output connector, disclose receiving and buffering both a local source video signal and a remote source video signal, and producing a video signal representative of both local and remote video signals where the combined local and remote video signals are transmitted for display on a local system (col. 17, lines 48-61 and col. 21, lines 47-66. see figs 7-8).

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Giving the teaching of Clapp et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Hardy by employing the system of Clapp et al so as to simultaneously display decoded local and remote video images on a video monitor coupled to a separate host computer (abstract).

Hardy teaches transmitting the combined audio and video signals to each of the plurality of remote conference endpoints [Hardy shows Mux/demux 80 that packages the outgoing and incoming data streams and a network interface 90 that receives remote video and audio information from at least one remote conference site via coupling 92 and transmits the received remote video and audio information to mux/demux 80 via coupling 89 so that the audio and video information is transmitted to network interface 90 for subsequent transmission to remote sites col. 5, lines 24-65 and col.6, lines 11-51].

As per claim 17, Hardy teaches the multi-point capable video conferencing endpoint of claim 13, wherein the network interface comprises a plurality of ISDN ports corresponding to the plurality of remote endpoints [col.5, line 24-39].

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As per claim 18, Hardy teaches the multi-point capable video conferencing endpoint of claim 13, wherein the network interface comprises an Ethernet connection [col.5, line 24-39].

As per claim 19, Hardy teaches a multi-point capable video conferencing endpoint comprising (figs 1 and col. 3, lines 12-49):

means for receiving remote audio and video data from a plurality of remote video conference endpoints [audio and video information are received from plurality remote conference sources of col. 3, lines 13-34 and col.5, line 32 to col. 6, line 34];

means for receiving audio data from local audio source and video data from local video source [FIG. 1, a local conference site videoconference system 1 includes video block 3, audio block 4, multiplexer/demultiplexer (mux/demux) 80 and network interface 90 col. 3, lines 13-34 and col.5, line 32 to col. 6, line 34

means for transmitting the combined audio and video signals to each of tile plurality of remote conference endpoints [Hardy shows Mux/demux 80 that packages the outgoing and incoming data streams and a network interface 90 that receives remote video and audio information from at least one remote conference site

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via coupling 92 and transmits the received remote video and audio information to mux/demux 80 via coupling 89 so that the audio and video information is transmitted to network interface 90 for subsequent transmission to remote sites col. 5, lines 24-65 and col.6, lines 11-51].

Hardy in view of Clapp et al teach means for combining the local audio data with the remote audio data and the local video data with the remote video data (see the combination of Hardy and Clapp et al in claim 13 above. See Clapp et al col. 17, lines 48-61 and col. 21, lines 47-66. see figs 7-8).

As per claim 20, Hardy in view of Clapp et al teach the multi-point capable video conferencing endpoint of claim 19, wherein the means for receiving audio data from a local audio source and video data from local video source comprises a first means for receiving audio and a second means for receiving video data [col. 5, lines 24-65 and col.6, lines 11-51].

As per claim 21, Hardy in view of Clapp et al teach the multi-point capable video conferencing endpoint of claim 19, wherein the means for combining the local audio data with the remote audio data and the local video data with the remote video data further comprises a first means for combining audio data



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and a second means for combining video data [col. 5, lines 24-65 and col.6, lines 11-51, see claim 1 above)

As per claim 22, Hardy in view of Clapp et al teach the multi-point capable video conferencing endpoint of claim 21, wherein the means for combining the local audio data with the remote audio data and the local video data with the remote video data further comprises a first means for combining audio data and a second means for combining video data [col. 5, lines 24-65 and col.6, lines 11-51, see claim 1 above).

### Conclusion

3. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Bargadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system.

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Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

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**KRISNA LIM**  
**PRIMARY EXAMINER**